

### REMARKS

This amendment is being filed in response to the Office Action having a mailing date of July 6, 2007. Various claims are amended as shown. No new matter has been added. With this amendment, claims 1-31 are pending in the application.

#### I. Preliminary comments

The present Office Action objected to claim 25 for having no limitation in the body of the claim. Claim 25 is amended as shown, and it is therefore kindly requested that the objection be withdrawn.

The specification is amended as shown to provide the U.S. Application Serial Number for the co-pending application referred to therein.

#### II. Discussion of the claims

The present Office Action rejected claims 1-31 under 35 U.S.C. § 102(e) as being anticipated by DeBettencourt. For the reasons set forth below, it is kindly requested that these rejections be withdrawn.

##### A. Discussion of independent claim 1

Independent claim 1 as presently amended recites, *inter alia*, “matching that XML-related content to a rule that specifies a routing action to apply to said packet to balance load” and “undertaking said routing action on the packet as specified by the matching rule.” It is respectfully submitted that these limitations are not disclosed, taught, or suggested by DeBettencourt.

Specifically, DeBettencourt discloses techniques that involve providing a stream sensor to extract pieces of data from incoming XML messages, using rules that specify the type of data to look for and extract from the XML messages. The extracted data is then placed in a log file. In other words, DeBettencourt’s rules specify the data of interest to be extracted from the XML messages.

DeBettencourt describes his rules in his following (emphasis ours) paragraphs [0047], [0056], [0060], and [0061]:

“[0047] Also included in the server system 12 of FIG. 2 is the console 34 and the Global Aggregator 36. The console 34 may be used in connection with supplying rules to each of the context engines 46 and 48 indicating which data portions of interest are to be extracted by the stream sensors ...

[0056] Incoming data to the application server 26b is ‘tapped’ by stream sensor A 26a such that the incoming data stream is filtered to copy selected data of interest in accordance with the rules included in the rules file 108. An output of the stream sensor A 26a is the raw log file 106. In this embodiment, the raw log file 106 includes the raw or unprocessed data gathered by the stream sensor A from the incoming XML message stream 102 to the application server 26b...

[0060] In this embodiment, the context engine 46 includes a Configuration Service 114, an Aggregation Service 116, a Profile Service 118, a Discovery Service 122, and may optionally include other context engine components 120. The rules indicating which data portions of the incoming data stream are of interest are received by the Configuration Service 114 from the console and forwarded to the stream sensor where they are stored locally with respect to the stream sensor in the rules data file 108. The stream sensor A 26a then filters the data stream using these rules producing the raw log file or files 106. The Aggregation Service 116 may process the raw log files 106 to provide callers with a view of the operation of the application.

[0061] Initially, a set of rules may be sent from the console to the Configuration Service 114, for example, in connection with initialization or setup of the system. An initial version of the rules data file 108 may

also be established and/or transmitted using other techniques as well. Subsequently, during execution of applications on the server system, rules may be updated. The console may communicate the rule updates to the Configuration Service 114 as may occur from time to time during execution of the components included in the server system 12. The particulars of the data messages being monitored and the format of the rules as well as their generation and maintenance are described elsewhere herein in more detail. However, it should be noted at this point that the rules may be used in connection with monitoring the incoming and outgoing data streams for any one or more occurrences of a variety of different data items. For example, the incoming data stream may be monitored to extract specific fields of information of an XML message with regard to a particular customer as indicated, for example, by a customer identifier. Additionally, rules may be used to perform this monitoring of a particular data field for customers for a time period determined dynamically in accordance with the incoming data stream. For example, data may be monitored for a particular customer upon the occurrence of a particular transaction start and end. The transaction start and end may be dictated by a particular message(s)."

From the above-cited passages of DeBettencourt, it is abundantly clear that his rules simply identify the data of interest to be extracted from his XML messages, and then his stream sensors apply the rules to appropriately filter/monitor the XML messages to obtain the data of interest specified by the rules. His stream sensor monitors certain data fields in the XML messages to obtain data specified by the rules, such as customer identifiers, time periods, and other data items.

DeBettencourt therefore clearly does not meet the limitations of claim 1 that require the rule to specify a routing action to apply to a packet to balance load, and then undertaking the routing action on the packet as specified by the rule. As explained above,

DeBettencourt's rules simply specify data items to monitor in the XML messages, and do not specify any sort of routing action to apply to a packet to balance load. Indeed, it is respectfully submitted that nowhere does DeBettencourt disclose, teach, or suggest matching XML-related content to a rule and performing a routing action on the packet as specified by the matching rule.

Accordingly, claim 1 is allowable over DeBettencourt.

**B. Discussion of the other independent claims**

Independent claims 13, 19, 22, and 28 are amended to particularly recite, *inter alia* and using varying language, rule[s] that specify a routing action to apply to the packet to balance load and undertaking said routing action on the packet as specified by the matching rule. As previously explained above, DeBettencourt's rules merely specify the type of data to monitor and do not specify any routing action to balance load.

Accordingly, claims 13, 19, 22, and 28 are allowable.

**C. Other claim amendments**

Various other amendments are made to certain dependent claims as shown to make their language consistent in view of the amendments to their respective base independent claims, to more precisely recite the subject matter contained therein, and/or to otherwise place such claims in better form.

Claim 19 is further amended to be in a form that more closely follows current U.S. Patent Office guidelines.

**III. Information disclosure statement (IDS)**

An IDS having references listed therein, the appropriate fee, and copies of non-published U.S. patent reference(s) listed in the IDS are being submitted along with this amendment. It is kindly requested that an Examiner-initialed copy of the IDS be returned along with the next communication, so as to confirm that the references listed therein have been entered and considered.

IV. Conclusion

It is respectfully submitted that the independent claims are in condition for allowance. The dependent claims that depend directly or indirectly on these independent claims are likewise allowable based on at least the same reasons and based on the recitations contained in each dependent claim.

If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 622-4900.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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